

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, June 18, 2013, 7:00 PM
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor Dennis R. Phillips, Presiding
Alderman Valerie Joh
Alderman Mike McIntire

Vice-Mayor Tom C. Parham
Alderman Tom Segelhorst

City Administration

John G. Campbell, City Manager
J. Michael Billingsley, City Attorney
James H. Demming, City Recorder

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor Dennis R. Phillips.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Jeff Fleming, Assistant City Manager for Development.
- II.B. **INVOCATION:** Paul Becker, Pastor – Concordia Lutheran Church.
- III. **ROLL CALL:** By City Recorder Demming. Absent: Alderman John Clark and Alderman Jantry Shupe.
- IV. **RECOGNITIONS AND PRESENTATIONS.**
 1. Keep Kingsport Beautiful Beautification Awards – Robin Cleary and Alderman Joh presented the awards to those in attendance.
 2. 2013 Employee Scholarship Recipients – Lesley Christian recognized these students and their accomplishment.
 3. City Attorney Mike Billingsley discussed the process and guidelines of the public addressing the Board.
- V. **APPROVAL OF MINUTES.**

Motion/Second: Parham/McIntire, to approve minutes for the following meetings:

- A. June 3, 2013 Regular Work Session
- B. June 4, 2013 Regular Business Meeting

Approved: All present voting "aye."

VI. **COMMUNITY INTEREST ITEMS.**

AA. **PUBLIC HEARINGS.**

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1. Public Hearing and Consideration of Ordinance to Amend Zoning of One Parcel Located at 2697 and 2705 Rock Springs Road (AF: 154-2013). City Planner Ken Weems gave a brief presentation on this item.

PUBLIC COMMENT ON ITEM VI.AA.1. None.

Motion/Second: McIntire/Segelhorst, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG ROCK SPRINGS ROAD TO R-1B, RESIDENTIAL DISTRICT IN THE 14TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

2. Public Hearing and Consideration of Ordinance to Amend Zoning of a Portion of One Parcel Located at 320 Blakley Drive (AF: 155-2013). City Planner Ken Weems gave a brief presentation on this item.

PUBLIC COMMENT ON ITEM VI.AA.2. None.

Motion/Second: : McIntire/Joh, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG BLAKLEY DRIVE TO PD, PLANNED DEVELOPMENT, IN THE 13TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

A. PUBLIC COMMENT. Mayor Phillips invited citizens in attendance to speak about any of the remaining agenda items. There being no one coming forward to speak, the Mayor closed the public comment segment.

B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Consideration of an Ordinance to Levy a Privilege Tax on Litigation in the Municipal Court of the City of Kingsport (AF: 161-2013). City Attorney Billingsley gave details on this item, noting the law allows for local government to issue a tax equal to that of the state at \$13.75.

Motion/Second: Parham/Segelhorst, to pass:

AN ORDINANCE TO LEVY A PRIVILEGE TAX ON LITIGATION IN THE CITY COURT; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

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**1. Consideration of an Ordinance to Adopt the FY13-14 Budget
(AF: 147-2013).**

Motion/Second: Joh/McIntire, to pass:

ORDINANCE NO. 6318, PUBLIC HEARING AND AN ORDINANCE OF THE CITY OF KINGSFORT, TENNESSEE, ADOPTING A FINAL BUDGET AND APPROPRIATING FUNDS FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 AND ENDING JUNE 30, 2014, AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, McIntire, Parham, Segelhorst and Phillips voting "aye."

**2. Consideration of an Ordinance to Adopt the FY13-14 Water
Fund Budget (AF: 145-2013).**

Motion/Second: McIntire/Parham, to pass:

ORDINANCE NO. 6319, AN ORDINANCE OF THE CITY OF KINGSFORT, TENNESSEE, ADOPTING A FINAL WATER FUND BUDGET AND APPROPRIATING FUNDS FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 AND ENDING JUNE 30, 2014, AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, McIntire, Parham, Segelhorst and Phillips voting "aye."

**3. Consideration of an Ordinance to Adopt the FY13-14 Sewer
Fund Budget (AF: 146-2013).**

Motion/Second: Parham/McIntire, to pass:

ORDINANCE NO. 6320, AN ORDINANCE OF THE CITY OF KINGSFORT, TENNESSEE, ADOPTING A FINAL SEWER FUND BUDGET AND APPROPRIATING FUNDS FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 AND ENDING JUNE 30, 2014, AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, McIntire, Parham, Segelhorst and Phillips voting "aye."

D. OTHER BUSINESS.

**1. Consideration of a Resolution Awarding the Bid for the
Purchase of Various Janitorial Items to American Paper and Twine Company, Inc.
(AF: 164-2013).**

Motion/Second: Joh/McIntire, to pass:

Resolution No. 2013-205, A RESOLUTION AWARDING THE BID FOR THE PURCHASE OF VARIOUS JANITORIAL ITEMS TO AMERICAN PAPER AND TWINE COMPANY, INC. AND AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR THE SAME

Passed: All present voting "aye."

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2. Consideration of a Resolution Awarding the Bid for the Purchase and Installation of an Emergency Warning Siren System to West Shore Services, Inc. (AF: 163-2013). Fire Chief Dye provided details on this item, pointing out emergency notification of manmade or natural events. He noted this was only part the system and encouraged citizens to register their phone numbers and in the event of an emergency they will receive a call with specific response instructions.

Motion/Second: McIntire/Segelhorst, to pass:

Resolution No. 2013-206, A RESOLUTION AWARDDING THE BID FOR THE PURCHASE AND INSTALLATION OF AN EMERGENCY WARNING SIREN SYSTEM TO WEST SHORE SERVICES, INC.; AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE CONTRACT

Passed: All present voting "aye."

3. Consideration of a Resolution Awarding the Bid for the Purchase of One (1) Water Street Flusher Equipped Truck to Worldwide Equipment, Inc. (AF: 171-2013).

Motion/Second: Joh/Segelhorst, to pass:

Resolution No. 2013-207, A RESOLUTION AWARDDING THE BID FOR THE PURCHASE OF WATER STREET FLUSHER EQUIPPED TRUCK TO WORLDWIDE EQUIPMENT, INC. AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

4. Consideration of a Resolution Awarding the Bid for the Purchase of Five (5) Stake Bed Trucks to Empire Ford, Inc. (AF: 172-2013).

Motion/Second: Joh/Parham, to pass:

Resolution No. 2013-208, A RESOLUTION AWARDDING THE BID FOR THE PURCHASE OF FIVE STAKE BED TRUCKS TO EMPIRE FORD, INC. AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

5. Consideration of a Resolution Authorizing the Mayor to Execute All Documents Necessary and Proper to Apply for and Receive a Grant for \$26,791 from the Department of Justice Edward Byrne Memorial Justice Assistance Program (JAG) FY13 Local Solicitation (AF: 162-2013).

Motion/Second: McIntire/Segelhorst, to pass:

Resolution No. 2013-209, A RESOLUTION APPROVING AN APPLICATION FOR AND RECEIPT OF A UNITED STATES DEPARTMENT OF JUSTICE BUREAU OF JUSTICE ASSISTANCE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE PROGRAM

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FISCAL YEAR 2014 LOCAL SOLICITATION GRANT AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER FOR SUCH APPLICATION AND RECEIPT OF GRANT FUNDS

Passed: All present voting "aye."

6. Consideration of a Resolution Establishing a Formal Agreement with the Friends of Allandale for the Completion of Phase I and II of the Allandale Amphitheater Project (AF: 167-2013).

Motion/Second: Parham/Joh, to pass:

Resolution No. 2013-210, A RESOLUTION AUTHORIZING A CONTRIBUTION TO THE FRIENDS OF ALLANDALE, INC.; APPROVING AN AGREEMENT WITH THE FRIENDS OF ALLANDALE, INC., AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

7. Consideration of a Resolution Authorizing the Mayor to Execute All Documents Necessary and Proper to Apply for and Receive Arts Builds Communities Grant from the Tennessee Arts Commission (AF: 174-2013).

Motion/Second: Joh/Segelhorst, to pass:

Resolution No. 2013-211, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE AN ARTS PROJECT SUPPORT GRANT FROM THE TENNESSEE ARTS COMMISSION

Passed: All present voting "aye."

8. Consideration of a Resolution to Formally Enter into a Sponsorship Agreement with Eastman Credit Union for Their Sponsorship of the Lazy River at the Kingsport Aquatic Center (AF: 173-2013).

Motion/Second: Joh/Parham, to pass:

Resolution No. 2013-212, A RESOLUTION APPROVING A SPONSORSHIP AGREEMENT WITH EASTMAN CREDIT UNION, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

9. Consideration of a Resolution Approving the Purchase of Band Uniform Jacket Replacements for Dobyns-Bennett High School from Fred J. Miller, Inc. and Authorizing the City Manager to Execute a Purchase Order for Same (AF: 175-2013). Alderman Segelhorst noted the band would be going to the Rose Bowl in the new uniforms.

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Motion/Second: Segelhorst/Joh, to pass:

Resolution No. 2013-213, A RESOLUTION APPROVING THE PURCHASE OF BAND UNIFORM JACKET AND HAT REPLACEMENTS FOR DOBYNS-BENNETT HIGH SCHOOL BAND FROM FRED J. MILLER, INC. AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

10. Consideration of a Resolution Authorizing the Mayor to Execute Agreements with Various Agencies and Organizations for Services in FY13-14 Benefiting the General Welfare of Kingsport Residents (AF: 166-2013). Mayor Phillips commented on the city's expectations for the money given to these organizations.

Motion/Second: Segelhorst/Joh, to pass:

Resolution No. 2013-214, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AGREEMENTS WITH VARIOUS AGENCIES AND ORGANIZATIONS FOR SERVICES IN FISCAL YEAR 2013-2014 BENEFITING THE GENERAL WELFARE OF KINGSPORT RESIDENTS

Passed: All present voting "aye."

11. Consideration of a Resolution Setting FY14 Fees and Charges Provided for in the City Code (AF: 176-2013). Mayor Phillips pointed out these fees are looked at closely, noting the new fees were associated with wi-fi service.

Motion/Second: Parham/McIntire, to pass:

Resolution No. 2013-215, A RESOLUTION SETTING THE RATES, FEES AND CHARGES AS PROVIDED BY THE CITY OF KINGSPORT CODE OF ORDINANCES

Passed: All present voting "aye."

12. Consideration of a Resolution Authorizing the Mayor to Sign Lease Agreements with Northeast State Community College for the Regional Center for Applied Technology (RCAT) and the Regional Center for Health Professions (RCHP) (AF: 96-2013).

Motion/Second: McIntire/Parham, to pass:

Resolution No. 2013-216, A RESOLUTION APPROVING LEASE AGREEMENTS WITH NORTHEAST STATE TECHNICAL COMMUNITY COLLEGE FOR THE REGIONAL CENTER FOR APPLIED TECHNOLOGY (RCAT) AND FOR THE REGIONAL CENTER FOR HEALTH PROFESSIONALS (RCHP); AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENTS AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENTS

Passed: All present voting "aye."

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13. Consideration of a Resolution Rejecting All Bids on the J. Fred Johnson Stadium Project (AF: 179-2013). Mayor Phillips stated the process of establishing a guaranteed maximum price of four point four million dollars should begin immediately. Vice-Mayor Parham pointed out this was a good process, noting the success of the Aquatic Center.

Motion/Second: McIntire/Parham, to pass:

Resolution No. 2013-217, A RESOLUTION REJECTING ALL BIDS RELATED TO THE J. FRED JOHNSON STADIUM RENOVATIONS CONSTRUCTION PROJECT

Passed: All present voting "aye."

E. APPOINTMENTS/REAPPOINTMENTS.

Appointments/Reappointments are considered under one motion.

Motion/Second: McIntire/Parham, to approve:

1. Consideration of an Appointment to the Beverage Board
(AF: 165-2013).

Approve:

APPOINTMENT OF MR. GEORGE SAMUEL TO SERVE ON THE **BEVERAGE BOARD** EFFECTIVE IMMEDIATELY AND EXPIRING ON MARCH 19, 2016. HE WILL REPLACE JILL SALYERS WHO IS NOW WORKING WITH SENATOR BOB CORKER'S OFFICE AND CANNOT BE ON ANY BOARDS.

Passed: All present voting "aye."

2. Consideration of Reappointments and an Appointment to the Tree Advisory Board (AF: 169-2013).

Approve:

REAPPOINTMENTS OF MS. CHRISTINE BARGER, MR. DAVE PETKE AND MR. COLE LUSK AND APPOINTMENT OF MR. BRANDON LEMMONS TO SERVE ON THE **TREE ADVISORY BOARD** EFFECTIVE IMMEDIATELY AND EXPIRING JUNE 30, 2015.

Passed: All present voting "aye."

3. Consideration of Reappointments to the Parks and Recreation Advisory Committee (AF: 170-2013).

Approve:

REAPPOINTMENTS OF MESSRS. RUSS HICKMAN, BRAD HOOVER, AND BOB JACK TO SERVE ON THE **PARKS AND RECREATION ADVISORY COMMITTEE** EFFECTIVE JUNE 30, 2013 AND EXPIRE JUNE 30, 2016.

Passed: All present voting "aye."

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**4. Consideration of Reappointments and an Appointment to the
Regional Planning Commission (AF: 52-2013).**

Approve:

REAPPOINTMENTS OF MESSRS. HOYT DENTON AND DENNIS WARD AND
APPOINTMENT OF MS. HEATHER COOK TO SERVE ON THE **REGIONAL
PLANNING COMMISSION** EFFECTIVE 6/30/13 AND EXPIRING ON JUNE 30, 2017.
MS. COOK WILL REPLACE JIM LEWIS.

Passed: All present voting "aye."

VII. CONSENT AGENDA. *(These items are considered under one motion.)*

Motion/Second: Joh/McIntire, to adopt:

**1. Consideration of an Ordinance Providing for the FY14
Community Development Block Grant Budget (AF: 143-2013).**

Adopt:

Ordinance No. 6321, AN ORDINANCE TO APPROPRIATE U. S. DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK
GRANT FUNDS FOR THE FISCAL YEAR ENDING JUNE 30, 2014; AND, TO FIX THE
EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, McIntire, Parham, Segelhorst and
Phillips voting "aye."

**2. Consideration of an Ordinance Amending Court Costs for City
Court (AF: 156-2013).**

Adopt:

Ordinance No. 6322, AN ORDINANCE AMENDING SECTION 30-29 OF THE CODE
OF ORDINANCES, CITY OF KINGSFORT, TENNESSEE, TO PROVIDE FOR AN
INCREASE IN COURT COSTS FOR CITY COURT; AND TO FIX THE EFFECTIVE
DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, McIntire, Parham, Segelhorst and
Phillips voting "aye."

**3. Consideration of an Ordinance to Adopt the FY13-14
Metropolitan Planning Project Grant Budget (AF: 148-2013).**

Adopt:

Ordinance No. 6323, AN ORDINANCE TO APPROPRIATE METROPOLITAN
TRANSPORTATION PLANNING GRANT PROJECT FUNDS; AND TO FIX THE
EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, McIntire, Parham, Segelhorst and
Phillips voting "aye."

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4. Consideration of an Ordinance to Adopt the FY13-14 Urban Mass Transit Budget (AF: 149-2013).

Adopt:

Ordinance No. 6324, AN ORDINANCE TO APPROPRIATE URBAN MASS TRANSIT GRANT PROJECT FUNDS AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, McIntire, Parham, Segelhorst and Phillips voting "aye."

5. Consideration of an Ordinance to Adopt the FY13-14 Special Schools Projects Grant Fund Budget (AF: 150-2013).

Adopt:

Ordinance No. 6325, AN ORDINANCE TO ESTABLISH SPECIAL SCHOOL GRANT PROJECT FUND 145 FOR SPECIAL SCHOOL PROJECTS GRANT, TO APPROPRIATE SUCH FUNDS AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, McIntire, Parham, Segelhorst and Phillips voting "aye."

6. Consideration of an Ordinance to Adopt the FY13-14 School Special Public Law 93-380 Grant Project Fund Budget (AF: 151-2013).

Adopt:

Ordinance No. 6326, AN ORDINANCE TO ESTABLISH PL93-380 GRANT PROJECT FUND FOR THE PL93-380 GRANT, TO APPROPRIATE SUCH FUNDS AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, McIntire, Parham, Segelhorst and Phillips voting "aye."

7. Consideration of an Ordinance to Appropriate the Necessary Funding to Add Additional Parking Spaces at the Kingsport Aquatic Center (AF: 152-2013).

Adopt:

Ordinance No. 6327, AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY TRANSFERRING FUNDS FOR ADDITIONAL PARKING IMPROVEMENTS FOR THE FISCAL YEAR ENDING JUNE 30, 2013; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, McIntire, Parham, Segelhorst and Phillips voting "aye."

8. Consideration of an Ordinance Appropriating Funds to Purchase Property at the Corner of Press and Clinchfield Streets (AF: 160-2013).

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Adopt:

Ordinance No. 6328, AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY TRANSFERRING FUNDS TO PURCHASE PROPERTY AT THE CORNER OF PRESS AND CLINCHFIELD STREETS FOR THE FUTURE CAROUSEL PARK ; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, McIntire, Parham, Segelhorst and Phillips voting "aye."

9. Consideration of Additional Approval of Offers for Easements and Right-of-Way for the Greenbelt Walkway Project (AF: 168-2013).

Approve:

OFFERS FOR EASEMENTS AND RIGHT-OF-WAY FOR THE GREENBELT WALKWAY PROJECT

Passed in a roll call vote: Joh, McIntire, Parham, Segelhorst and Phillips voting "aye."

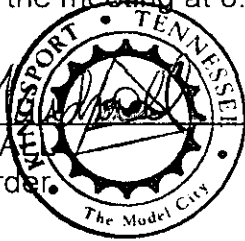
VIII. COMMUNICATIONS.


- A. **CITY MANAGER.** Mr. Campbell gave details on the CIP project list after the discussion at the work session yesterday. He provided information on both general fund projects as well as water and sewer fund projects. Some discussion followed.
- B. **MAYOR AND BOARD MEMBERS.** Alderman McIntire thanked Alderman Joh for her service as well as her passion and heart for the community. Alderman Segelhorst commended city employees for their second month being injury free. He also recognized the scholarship recipients and thanked Alderman Joh as well. Vice-Mayor Parham congratulated those who received scholarships and mentioned many positive things going on in the community. The Vice-Mayor spoke highly of Alderman Joh, noting she has been a good model. Alderman Joh mentioned the need for food at the animal shelter. She also provided details of her 10 years of service and commended city employees. Mayor Phillips commented favorably on Alderman Joh and noted he was looking forward to Colette joining the next meeting.
- C. **VISITORS.** Ms. Bobbie Phillips commented as President of the Kingsport Rotary Sunrise as well as a carousel carver on a grant that will go towards a playground at the carousel. Sullivan County Commissioner Pat Shull commented on a proposed joint committee to discuss the school situation that would be comprised members of the Kingsport BMA and BOE, the Sullivan County BOE as well as the Bristol BMA and BOE. Ms. Barbara Brown, 1201 Lomax Street, commented on the visitors and the recycle program. Mr. Danny Karst and Ms. Mary McNabb commented favorably on Alderman Joh and her service. Pastor Paul Becker commended Public Works Director Ryan McReynolds.

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IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 8:30 p.m.


ANGELA MARSHALL
Deputy City Recorder.




DENNIS R. PHILLIPS
Mayor